

**UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF ALABAMA**

JESSICO PLOTT,)	
)	
Plaintiff,)	
)	Case No.
v.)	
)	
NATIONAL ENTERPRISE SYSTEMS, INC,)	
)	
Defendant.)	

PLAINTIFF'S COMPLAINT

JESSICO PLOTT (Plaintiff), through her attorneys, alleges the following against
NATIONAL ENTERPRISE SYSTEMS, INC. (Defendant):

INTRODUCTION

1. Count I of Plaintiff's Complaint is based on the Fair Debt Collection Practices Act, 15 U.S.C. 1692 *et seq.* (FDCPA).

JURISDICTION AND VENUE

2. Jurisdiction of this Court arises pursuant to 15 U.S.C. 1692k(d), which states that such actions may be brought and heard before "any appropriate United States district court without regard to the amount in controversy."

3. Defendant conducts business in the state of Alabama; therefore, personal jurisdiction is established.

4. Venue is proper pursuant to 28 U.S.C. 1391(b)(2).

PARTIES

5. Plaintiff is a natural person residing in Alabaster, Shelby County, Alabama.

6. Plaintiff is a consumer as that term is defined by 15 U.S.C. 1692a(3), and according to Defendant, Plaintiff allegedly owes a debt as that term is defined by 15 U.S.C. 1692a(5).

7. Defendant is a debt collector as that term is defined by 15 U.S.C. 1692a(6), and sought to collect a consumer debt from Plaintiff.

8. Plaintiff is informed and believes, and thereon alleges, that Defendant is a collections business with an office in Solon, Ohio.

9. Defendant acted through its agents, employees, officers, members, directors, heirs, successors, assigns, principals, trustees, sureties, subrogees, representatives, and insurers.

FACTUAL ALLEGATIONS

10. Defendant constantly and continuously places collection calls to Plaintiff seeking and attempting to collect on an alleged debt.

11. Plaintiff's alleged debt arises from transactions for personal, family and/or household purposes.

12. Defendant places collection calls to Plaintiff's cellular telephone at phone number 904-806-81XX.

13. Defendant places collection calls to Plaintiff from, but not limited to, the following telephone numbers: (904) 800-4193, (904) 800-4194, (904) 800-4197, (904) 297-3084, and (904) 830-4585.

14. Defendant placed collection calls to Plaintiff one (1) to two (2) times on a daily basis.

15. Plaintiff requested that Defendant cease calling her during work hours. Nonetheless, Defendant continues to place collection calls to Plaintiff during work hours.

16. When Plaintiff asked Defendant to stop calling her, Defendant threatened to call Plaintiff's mother.

COUNT I
DEFENDANT VIOLATED THE FAIR DEBT COLLECTION PRACTICES ACT

17. Defendant violated the FDCPA based on, but not limited to, the following:

- a. Defendant violated §1692d of the FDCPA by engaging in conduct the natural consequence of which is to harass, oppress, or abuse Plaintiff in connection with the collection of a debt;

WHEREFORE, Plaintiff, JESSICO PLOTT, respectfully requests judgment be entered against Defendant, NATIONAL ENTERPRISE SYSTEMS, INC, for the following:

18. Statutory damages of \$1000.00 pursuant to the Fair Debt Collection Practices Act, 15 U.S.C. 1692k;

19. Costs and reasonable attorneys' fees pursuant to the Fair Debt Collection Practices Act, 15 U.S.C. 1692k; and

20. Any other relief that this Court deems appropriate.

RESPECTFULLY SUBMITTED,

By: /s/ M. Brandon Walker
Brandon M. Walker
WALKER McMULLAN, LLC
Of Counsel Krohn & Moss
242 W. Valley Ave., Suite 312
Birmingham, AL 35209
(205) 417-2541
Attorney for Plaintiff

VERIFICATION OF COMPLAINT AND CERTIFICATION

STATE OF ALABAMA)
) ss:
COUNTY OF SHELBY)

Plaintiff, JESSICO PLOTT, states the following:

1. I am the Plaintiff in this civil proceeding.
2. I have read the above-entitled civil Complaint prepared by my attorneys and I believe that all of the facts contained in it are true, to the best of my knowledge, information and belief formed after reasonable inquiry.
3. I believe that this civil Complaint is well grounded in fact and warranted by existing law or by a good faith argument for the extension, modification or reversal of existing law.
4. I believe that this civil Complaint is not interposed for any improper purpose, such as to harass any Defendant(s), cause unnecessary delay to any Defendant(s), or create a needless increase in the cost of litigation to any Defendant(s), named in the Complaint.
5. I have filed this Complaint in good faith and solely for the purposes set forth in it.
6. Each and every exhibit I have provided to my attorneys which has been attached to this Complaint is a true and correct copy of the original.
7. Except for clearly indicated redactions made by my attorneys where appropriate, I have not altered, changed, modified or fabricated these exhibits, except that some of the attached exhibits may contain some of my own handwritten notations.

Pursuant to 28 U.S.C. § 1746(2), I, JESSICO PLOTT, hereby declare (or certify, verify or state) under penalty of perjury that the foregoing is true and correct.

3/5/2014

Date



JESSICO PLOTT